

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**JANUARY 9, 2006**

**HEARING BEFORE THE CITY COUNCIL, 6:30 P.M.**

C-54            Relative to determining the factor to be used in setting the Fiscal Year 2006 tax rate. (Finance)

**HEARING BEFORE THE CITY COUNCIL, 6:45 P.M.**

**(Continued from November 14, 2005)**

26-06            Randy Bigelow, 375 Harvard Realty LLC: Grant a Special Permit to use 12,800 square feet of an existing building, located at 375 Harvard Street, shown on Assessor's Map 370 as lot 19 and located within an Industrial Zone for a Christian book store. (Legal Affairs)

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

**COMMUNICATIONS**

C-65            EMERGENCY PREAMBLE  
Relative to the appropriation of \$190,000.00 to the Snow and Ice Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)

### **COMMUNICATIONS, continued**

- C-66      EMERGENCY PREAMBLE  
Relative to the appropriation of \$25,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-67      Relative to the appropriation of \$100,000.00 to the Police Department Overtime Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-68      Relative to the appropriation of \$40,000.00 to the Police Department Salary and Wages - Prior Year Expense Account; same to be transferred from the Collective Bargaining – Prior Year Expense Account. (Finance)
- C-69      Relative to the appropriation of \$127,000.00 to the Police Department Capital Outlay Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-70      Relative to the appropriation of \$12,500.00 to the Forestry Regular Labor Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-71      Relative to the appropriation of \$25,311.00 to the Fire Department Salary and Wages Account; same to be transferred from the Collective Bargaining Expense – Prior Year Expense Account. (Finance)
- C-72      Relative to the appropriation of \$100,000.00 to the Fire Department Overtime Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-73      Relative to the appropriation of \$43,618.00 to the Library Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-74      Relative to the appropriation of \$6,200.00 to the Highway Labor Account; same to be transferred from the Excess and Deficiency Account. (Finance)

### **PETITIONS**

- 37-06      Hancock Associates, on behalf of Whitney Carriage Associates: Grant a Special Permit to remove and replace an existing retaining wall located at 122 Water Street, shown on Assessor's Map 22 as lot 1 and located within a floodplain. (Legal Affairs)

1/9/06

## **APPOINTMENTS**

Leominster Cable Advisory Board – William C. Voedisch, Jr. – Term to expire April 15, 2008.

Emergency Management Communications Unit – Michael J. Roland

## **MATTERS BEFORE THE CITY COUNCIL**

### **FINANCE**

- C-54           Relative to determining the factor to be used in setting the Fiscal Year 2006 tax rate.
  
- C-59           Relative to the appropriation of \$5,500.00 to the Police Drug Task Force Expense Account; same to be transferred from the Emergency Reserve Account.
  
- C-60           Relative to the appropriation of \$1,800.00 to the Recreation Department Expense Account; same to be transferred from the Emergency Reserve Account.
  
- C-64           Relative to the appropriation of \$15,000.00 to the Highway Overtime Account; same to be transferred from the Emergency Reserve Account.

### **LEGAL AFFAIRS & PUBLIC SERVICE**

- 35-06           Christopher Grunditz: Request that Cedar Road, a paper street, be abandoned.

### **LEGAL AFFAIRS**

- C-61           Dean J. Mazzearella, Mayor: Request that eight parcels located on Laurel Street, Spruce Street and Whitney Street shown on Assessor's Map 40 as lots, 1, 2, 3, 5, 6, 6a, 16 & 17 be rezoned from Industrial to Residence C. (A hearing is scheduled for January 23, 2006 at 6:30 P.M.)

1/9/06

**MATTERS BEFORE THE CITY COUNCIL, continued****LEGAL AFFAIRS, continued**

- 30-06 Paul LeBlanc and Henry Lanza, on behalf of the License Commission: Accept MGL Chapter 138, Section 12, which allows cities and towns to permit common victualers (food) who sell wine & malt beverages under MGL Chapter 138, Section 12 to also sell Liqueurs and Cordials.
- 31-06 David Rowlands: Designate Harvard Street as a 25 MPH speed zone and post speed limit signs indicating such designation.
- 32-06 Leominster City Council; Richard M. Marchand, David E. Rowlands, John Dombrowski, Claire M. Freda, James Lanciani Jr., Wayne A. Nickel, Dennis A. Rosa, John A. Salvatelli, and Robert Salvatelli: Amend the City of Leominster Zoning Ordinances Article II, Sections 22-163, Generally Permitted Uses to include new Subsections 16.9, 16.9.1 and 16.9.2 which will allow for the use of one undeveloped lot in a zoning district in which a desired but non-permitted residential use is sought to obtain a Special Permit of the City Council and in the case of an undeveloped lot of 1.5 acres or less in existence prior to July 1, 2005 in the Industrial Zone, the Leominster City Council may, by Special Permit, allow a non-conforming business use if it is determined that there is no present, reasonable, industrial use for the lot, and the proposed use is not contrary to the general welfare, safety, health and morals of the city. The lot and the structures thereon must comply with all dimensional zoning requirements for the Business A District as set forth in Article III Dimensional Regulations. (A hearing is scheduled for January 23, 2005 at 7:00 P.M.)
- 33-06 Patrick Keating, The Tyree Company, N.E.: Amend the current license to store underground flammable liquids from 40,000 gallons to 30,000 gallons at 528 North Main Street. (A hearing is scheduled for January 23, 2005 at 6:45 P.M.)
- 34-06 James Whitney, 557 Lancaster Street Realty Trust: Grant a Special Permit to allow the Academy of Dance Arts to occupy 3,000 square feet of the existing 12,000 square foot building at 557 Lancaster Street, located in an Industrial zone and shown on Assessor's Map 443A as Lot 3. (A hearing is scheduled for January 23, 2005 at 7:15 P.M.)

1/9/06

**MATTERS BEFORE THE CITY COUNCIL, continued****PUBLIC SAFETY**

- C-62 Dean J. Mazzaella, Mayor: Accept a donation of equipment from International Rectifier Corporation for Rescue Dive Equipment valued at \$4,500.00.
- 36-06 Claire M. Freda: Install street lights on Bicentennial Avenue and possibly side streets off Bicentennial Avenue to be determined by the Police Department.

**SMALL BUSINESS & ECONOMIC DEVELOPMENT**

- C-56 Dean J. Mazzaella, Mayor and Christopher J. Paquette, Economic Development Coordinator: Approve the Certified Project Application and authorize a Tax Increment Financing Agreement with Heat Trace Products, LLC and Key Plastics.

**WAYS & MEANS**

- C-63 Dean J. Mazzaella, Mayor: Request that Paulette Robichaud be exempt from the provisions in M.G.L. Chapter 268A (20B) Conflict of Interest as she is currently employed by the City of Leominster's School Department and will be taking a part time position with the Recreation Department.

**OLD BUSINESS****NEW BUSINESS**

**TABLED PETITION UPON WHICH ACTION IS PROPOSED****LEGAL AFFAIRS**

26-06      Randy Bigelow, 375 Harvard Realty LLC: Grant a Special Permit to use 12,800 square feet of an existing building, located at 375 Harvard Street, shown on Assessor's Map 370 as lot 19 and located within an Industrial Zone for a Christian book store.

Lynn A. Bouchard  
City Clerk  
January 5, 2006